

PATENT APPLN. NO. 09/963,463
SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. § 1.116

**PATENT
FINAL**

IN THE CLAIMS:

1. (currently amended) A nonaqueous electrolyte secondary cell wherein a positive electrode active substance comprises a mixture of a lithium-nickel-cobalt-manganese composite oxide represented by the formula $\text{LiNi}_{(1-x-y)}\text{Co}_x\text{Mn}_y\text{O}_2$, wherein $0.5 < x+y < 1.0$, $0.1 < x < 0.6$ and $0.2 < y < 0.5$, and a lithium-manganese composite oxide represented by the formula LiMn_2O_4 , $\text{Li}_{(1+z)}\text{Mn}_2\text{O}_4$ wherein $0 \leq z < 0.2$.

2. (original) A nonaqueous electrolyte secondary cell according to claim 1 wherein the mixing ratio by weight of the lithium-nickel-cobalt-manganese composite oxide and the lithium-manganese composite oxide is in the range of 20:80 to 80:20.

3. (original) A nonaqueous electrolyte secondary cell according to claim 1 wherein the lithium-nickel-cobalt-manganese composite oxide is in the form of particles having an average diameter of 1 to 15 μm , and the lithium-manganese composite oxide is in the form of particles having an average diameter of 5 to 15 μm .